

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF PLATTSBURGH, NEW YORK  
February 12, 2009  
5:30 P.M.**

**MINUTES**

**Present:** Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Michael Kelly (W2), George Rabideau (W3), Jim Calnon (W4), Amy Valentine (W5), Chris Jackson (W6)

**Absent:** None

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**1. MINUTES OF THE PREVIOUS MEETING**

**RESOLVED:** that the Minutes of the regular meeting of the Common Council held on February 5, 2009 are approved and placed on file among the public records of the City Clerk's Office

By Councilor Carpenter; Seconded by Councilor Valentine  
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

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**2. PAYROLLS OF VARIOUS DEPARTMENTS**

**RESOLVED:** That the payrolls of the various Departments of the City of Plattsburgh for the week ending February 11, 2009 in the amount of **\$ 250,010.25** are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Calnon  
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

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**3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS**

- Report of Fire and Ambulance Responses for the week of February 5-11, 2009
- Report from the Building Inspector's Office from January 7-February 9, 2009
- Report from the City Clerk's Office of all monies received during the month of January 2009

**RESOLVED:** That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Rabideau; Seconded by Councilor Carpenter  
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

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#### 4. AUDITS OF CLAIMS

**RESOLVED:** That the bills approved by the Auditing Committee of the Common Council in the amount of \$ 648,699.5 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Calnon; Seconded by Councilor Jackson  
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

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#### 5. PERSONS ADDRESSING COUNCIL

Dave Bezio of 3 Jennifer Drive, President of the Union for MLD, wanted to state that there was a cable fault in the west end last night. Mr. Treacy called out 6 lineman and they were out for three and a half hours. Bezio didn't see anything in the paper about it so he wanted to make everyone aware.

Mayor Kasprzak said thank you about that and Mr. Brodi's workers were out much earlier than that and that wasn't in the paper either and they are still working.

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#### 6. OTHER ITEMS

**A. MAYOR HANDS DOWN THE APPOINTMENT OF ALTERNATE MEMBER OF THE ZONING BOARD OF APPEALS TO CONNIE FISHER, FROM HER POSITION AS A PERMANENT BOARD MEMBER. APPOINTMENT EFFECTIVE UNTIL 12/31/2011.**

By Councilor Calnon; Seconded by Councilor Valentine  
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

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**B. MAYOR HANDS DOWN THE RE-APPOINTMENT OF PERMANENT MEMBER OF THE ZONING BOARD OF APPEALS TO MAURICA GILBERT. APPOINTMENT EFFECTIVE UNTIL 12/31/2013.**

By Councilor Rabideau; Second by Councilor Jackson  
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

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**C. Request from WFP to extend the contract for Polyaluminum Hydroxychlorosulfate PCH 180 for one year with an increase price from \$0.1845/lb to \$0.192/lb.**

**RESOLVED:** In accordance with the request therefore the Common Council approves WFP to extend the contract for Polyaluminum Hydroxychlorosulfate PCH 180 for one year with an increase price from \$0.1845/lb to \$0.192/lb.

By Councilor Valentine; Second by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action:

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**D.** Request from MLD to write off unpaid bills from April 1, 2008 to April 30, 2008 in the total amount of \$1,320.65.

**RESOLVED:** In accordance with the request therefore the Common Council approves MLD to write off unpaid bills from April 1, 2008 to April 30, 2008 in the total amount of \$1,320.65.

By Councilor Kelly; Second by Councilor Valentine

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action:

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**E.** Motion to waive Rule 4 for initial item "Request from Public Works to fill the position of Maintenance Worker 1."

By Councilor Rabideau; Second by Councilor Kelly

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative except Councilor Calnon)

**RESOLVED:** In accordance with the request therefore the Common Council approves Public Works to fill the position of Maintenance Worker 1.

By Councilor Rabideau; Second by Councilor Kelly,

Discussion:

**Councilor Calnon** wanted to explain why he voted against the consideration. He believes the Management has the authority to fill this position because it was spoken by including it in the budget so we shouldn't have to further authorize it. He is supporting management.

**Councilor Rabideau** said that the Director of Public Works had said he had asked the Mayor to fill this position and the Mayor said to go through the liaison for that requirement which is the only reason why he is bringing it up.

**Councilor Carpenter** agrees with Jim. We already voted that we would fill this position by passing the money in the budget. Mike has the right to fill the position.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative except Councilor Calnon abstained)

**ACTION TAKEN:** Adopted

Follow up Action None

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## **7. RESOLUTIONS FOR INITIAL CONSIDERATION**

1. Request from Public Works to fill the position of Maintenance Worker 1.  
**(Moved to Agenda Item Letter E.)**
2. Request from Community Development for the Mayor to sign and submit the New York State Division of Housing and Community Renewal Grant application under the HOME program for citywide housing rehabilitation.
3. Request from Community Development for the Mayor to sign a grant disbursement agreement with the Empire State Development Corporation for a project identified as “Restore NY Communities FY 2007-08, a copy of which is made part of the minutes of this meeting.
4. Request from Community Development for the Mayor to sign a grant disbursement agreement with the Office of Community Renewal for NYS Main Street SHARS 20084062, a copy of which is made part of the minutes of this meeting.
5. Request from Public Works to change the language of approved resolution from January 22, 2009 under “Other Items” letter H to read:

WHEREAS, the City of Plattsburgh from time to time receives permits from the Department of Transportation (DOT) to temporarily obstruct, install, construct, maintain, operate or replace any facilities within the bounds of a State highway right-of-way, and

WHEREAS, the City of Plattsburgh is required by NYSDOT to indemnify or hold harmless agencies and/or officials of the State of New York for such temporary obstructions, installations, construction or maintenance,

THEREFORE BE IT RESOLVED that Mayor Donald Kasprzak of the City of Plattsburgh, is authorized to execute the Undertaking in Connection with Highway Permits issued by NYSDOT agreement.

6. MLD positions and organization: The Common Council requests that as soon as possible the Mayor and Manager of MLD submit recommendations to the Council concerning:
  - A. Revisions to the position description of MLD Finance Director.
  - B. The adoption of by-laws concerning MLD meetings, agendas and other matters.
  - C. The advisability of and timing filling the vacant positions of Finance Director and Meter Reader.
7. Request from the City Clerk that the Mayor be authorized to sign an amendment to the Service Agreement with Primelink.

8. Request from Chief Desmond Racicot for Detective Edward Smith to travel to Albany, NY on April 7-8, 2009 to attend the "Breath Analysis Instructor Update and Standardization Field Sobriety Testing Update Instructor Training" at a cost not to exceed \$234 for lodging and meals which will be paid out of Asset Forfeiture Fund.

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## 8. NEW BUSINESS

**Councilor Kelly** said that the Finance Director's position was on the agenda a few weeks ago and it was tabled until the lineman vote was decided. Kelly would like to know what has changed since then and why are we doing this different now.

**Corporation Counsel Clute** said he talked to Rich Marks about where that position stood. As Clute understands for several years now the City has had two people who dealt with financial matters and both people are retired. Since then the billing and financial matters were transferred over to the Chamberlain's office. Since Richard became Chamberlain they have been incorporating MLD's accounting into a computer system at the Chamberlain's office so that reports can be generated easily. So with that the Finance Director Position description was something that was created so long ago. We first have to define what qualifications we are looking for now, what the fit is going to be between that position and the Chamberlain's office. John said to him that is essential, he has been doing work for the City for over 20 years and when there are problems it's because they have never been updated. Especially with this situation you need to understand what you need. Clute agrees with moving forward with the meetings promptly so he has already started putting together some by-laws that he will get to the Council. This will help to determine the function on what the Council's part is and what it will be.

**Councilor Kelly** said what he got from that was we need to have Bill Treacy write up a job description since he said he needs help and maybe he has something already in mind as to what the department needs.

**Corporation Counsel Clute** said Bill can take the lead on it and work with Richard and the Mayor.

**Councilor Valentine** said if we move forward with redefining the job description then she would like to discuss the salary too.

**Councilor Kelly** said if we implement these regular meetings then that is a place we could start talking about this.

**Councilor Jackson** said there is a job description from Civil Service already so we need to tailor that one because they are extremely broad. He thinks they intentionally do that.

**Mayor Kasprzak** said there used to be a Finance Director, Senior Account Clerk, the Chamberlain's office, a private accounting firm, and Mr. La Capra and now we have no one. If this person is hired we will not need the outside accounting firm and that will save us money.

**Councilor Kelly** asked Clute if the Council could get a draft of the by-laws next.

**Corporation Counsel Clute** said we certainly can get something out.

**Councilor Kelly** asked if Bill Treacy could work on the job description.

**Mayor Kasprzak** said of course and that he has the Civil Service description one already.

**Councilor Kelly** said that in regards to the Meter Reader, there is a Lineman who is going to loose his job and he already fills in sometimes as meter reader. Kelly doesn't want to assume that he will get the job if it becomes available but its makes sense to consider him since we will have to pay him vacation and sick time when we let him go so this could be a good option.

**Corporation Counsel Clute** said if the position is budgeted then the Mayor has the authority to appoint a person to the position. The Meter Reader position isn't related to the by-laws so if anyone wants to fill it they can.

Councilor Calnon asked if this is an insertion or is it replacing the language?

**Mike Brodi** Superintendent of Public Works said DOT wanted the resolution to read as they have supplied.

**Mayor Kasprzak** said they wanted a person's name inserted in it.

**Councilor Calnon** asked if John Clute could read it over.

MAYOR SETS PUBLIC HEARING TO HEAR PUBLIC COMMENT REGARDING LOCAL COMMUNITY DEVELOPMENT NEEDS AND CONSIDER POSSIBLE APPLICATIONS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR FEBRUARY 26, 2009 AT 4:45 P.M. AND APRIL 16, 2009 AT 5 P.M. IN THE COMMON COUNCIL CHAMBERS AT 41 CITY HALL PLACE.

MAYOR SETS PUBLIC HEARING TO HEAR PUBLIC COMMENT REGARDING PROPOSED LOCAL LAW P1 OF 2009 PROVIDING RATES AND REGULATIONS FOR WATER SERVICES AND PROVIDING PROCEDURES FOR THE LEVYING AND COLLECTION OF WATER CHARGES FOR FEBRUARY 26, 2009 AT 5 P.M. IN THE COMMON COUNCIL CHAMBERS AT 41 CITY HALL PLACE.

MAYOR SETS PUBLIC HEARING TO HEAR PUBLIC COMMENT REGARDING PROPOSED LOCAL LAW P2 OF 2009 PROVIDING RATES AND REGULATIONS FOR THE USE OF PUBLIC AND PRIVATE SEWER AND DRAINS AND FOR THE LEVYING AND COLLECTION OF SEWER CHARGES FOR FEBRUARY 26, 2009 AT 5:15 P.M. IN THE COMMON COUNCIL CHAMBERS AT 41 CITY HALL PLACE.

**Councilor Valentine** commended the Fire Department and Chief Williams for the tragic fire they put out this past weekend. Valentine said we are fortunate to have a fire department in our community.

**Mayor Kasprzak** added that a thank you to the Police Department and Rick Perry for their assistance at the fire also.

**Councilor Jackson** wanted to update everyone about the City College Coalition. There was a meeting and the Director of the Office of Fire Prevention and Control, Guy Swartout came and also the local Fire Prevention Control, Chris Taylor. It was discussed that at the end of the month there will be a meeting directed to Sophomores for us to give advice if they are moving off campus on how to be a good neighbor, improve relationships and their responsibility to community and what the community can offer them and how to be respectful. Jackson said Rick Perry, Scott Beebie and Chief Williams was also there and we added a 15 minute piece on evacuation plan and maybe getting the Building Inspectors office to give floor plan drawings for the fire department so they know where to go. This was a really productive meeting.

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## **9. CLOSING PUBLIC COMMENTS**

None

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Valentine  
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

**MEETING ADJOURNED:** 6:05 p.m.